

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2272 OF 2007

Bandgar K. Kashinath Petitioner
V/s.
The State of Maharashtra & Ors. Respondents

Mr.C.R. Sadasivam for the Petitioner.

Mr.V.P. Malwankar, AGP for Respondent No.1.

CORAM : F.I. REBELLO &
R.M. SAVANT, JJ.
DATED : 29TH JUNE, 2007.

P.C. :

1. The proposal of the Petitioner for approval is not being considered due to pendency of a Petition filed by another teacher in this Court. The services of the teacher had been terminated and had approached the School Tribunal. According to the learned counsel for the Petitioner, the School Tribunal has dismissed the Appeal. The teacher aggrieved has filed the Petition but there is no interim order.

2. According to the Petitioner, he has given an undertaking under which he has agreed that in any event the Petition filed by the other teacher is concerned, he is ready to return the entire amount.

3. Today really speaking there is nothing to preclude Respondent No.2 from considering the proposal made by the Petitioner. In the light of that, Respondent No.2 is directed to consider the proposal of approval of the Petitioner's appointment and make it subject to order, if any, passed by this Court in Writ Petition No.4026 of 1998. The undertaking given by the Petitioner and as recorded at Exhibit "C", page 23 is accepted. Rule is made absolute accordingly. The entire exercise to be completed within four weeks from a copy of this order being served on Respondent No.2.

(R.M. SAVANT, J.)

(F.I. REBELLO, J.)